

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Regulation of Nitric Oxide Synthase Activity**, the Specification of which:

☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 and/or § 365 of any foreign application(s) for patent or inventor's certificate, PCT international application(s), and United States provisional application(s), listed below and have also identified below any foreign application for patent or inventor's certificate, PCT international application, or United States provisional application, having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
PCT/AU99/00968	PCT	November 5, 1999	Yes
(Number)	(Country)	(Date Filed)	Yes/No
PP 6976	Australia	November 6, 1998	Yes
(Number)	(Country)	(Date Filed)	Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 and/or § 365 of any United States application(s) and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which becomes available between the filing date of the prior application and the national or PCT international filing date of this application:

N/A

(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

I hereby direct that all correspondence and telephone calls be addressed to Shelley P.M. Fussey, Williams, Morgan & Amerson, P.C., 7676 Hillmont, Suite 250, Houston, Texas 77040, (713) 934-7000.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-10

Inventor's Full Name:	David	Ian	Stapleton
Inventor's Signature:	David Stapleton		
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2-10

Inventor's Full Name:	Zhiping		Chen
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3-10

Inventor's Full Name:	Belinda	Joyce	Michell
Inventor's Signature:	BJM Michell		
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Inventor's Full Name:	Bruce	Ernest	Kemp
Inventor's Signature:	<i>B E Kemp</i>		
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Inventor's Full Name:	Kenneth	Ian	Mitchellhill
Inventor's Signature:	<i>K Mitchell</i>		
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David Ian Stapleton, Zhiping Chen, Belinda  
Joyce Michell, Bruce Ernest Kemp and  
Kenneth Ian Mitchelhill

Group Art Unit: Unknown

Examiner: Unknown

PCT Serial No.: PCT/AU99/00968

PCT Filing Date: November 5, 1999

Priority Date: November 6, 1998

Atty. Dkt. No.: 4050.000900

Filed: Concurrently Herewith

For: REGULATION OF NITRIC OXIDE  
SYNTHASE ACTIVITY

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Danny L. Williams, Reg. No. 31,892; Terry D. Morgan, Reg. No. 31,181; J. Mike Amerson, Reg. No. 35,426; Kenneth D. Goodman, Reg. No. 30,460; Barbara S. Kitchell, Reg. No. 33,928; Jeffrey A. Pyle, Reg. No. 34,904; Randall C. Furlong, Reg. No. 35,144; Scott F. Diring, Reg. No. 35,119; George J. Oehling, Reg. No. 40,471; Shelley P.M. Fussey, Reg. No. 39,458; Mark D. Moore, Reg. No. 42,903; Carolanne M. King, Reg. No. 44,914; Louis H. Iselin, Reg. No. 42,684; and Raymund F. Eich, Reg. No. 42,508;

each an attorney or agent of the firm of WILLIAMS, MORGAN & AMERSON, P.C., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

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Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to ST. VINCENT'S INSTITUTE OF MEDICAL RESEARCH, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Shelley P.M. Fussey  
WILLIAMS, MORGAN & AMERSON, P.C.  
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ASSIGNEE:  
ST. VINCENT'S INSTITUTE OF  
MEDICAL RESEARCH

By: B.E. Kemp  
Name: BRUCE E. KEMP  
Title: Secretary  
Date: 20 Dec 2000

ASSIGNMENT:

☒ Concurrently filed  
☐ Previously recorded  
Date:  
Reel:  
Frames: